State of California

State Water Resources Control Board

## DIVISION OF WATER RIGHTS

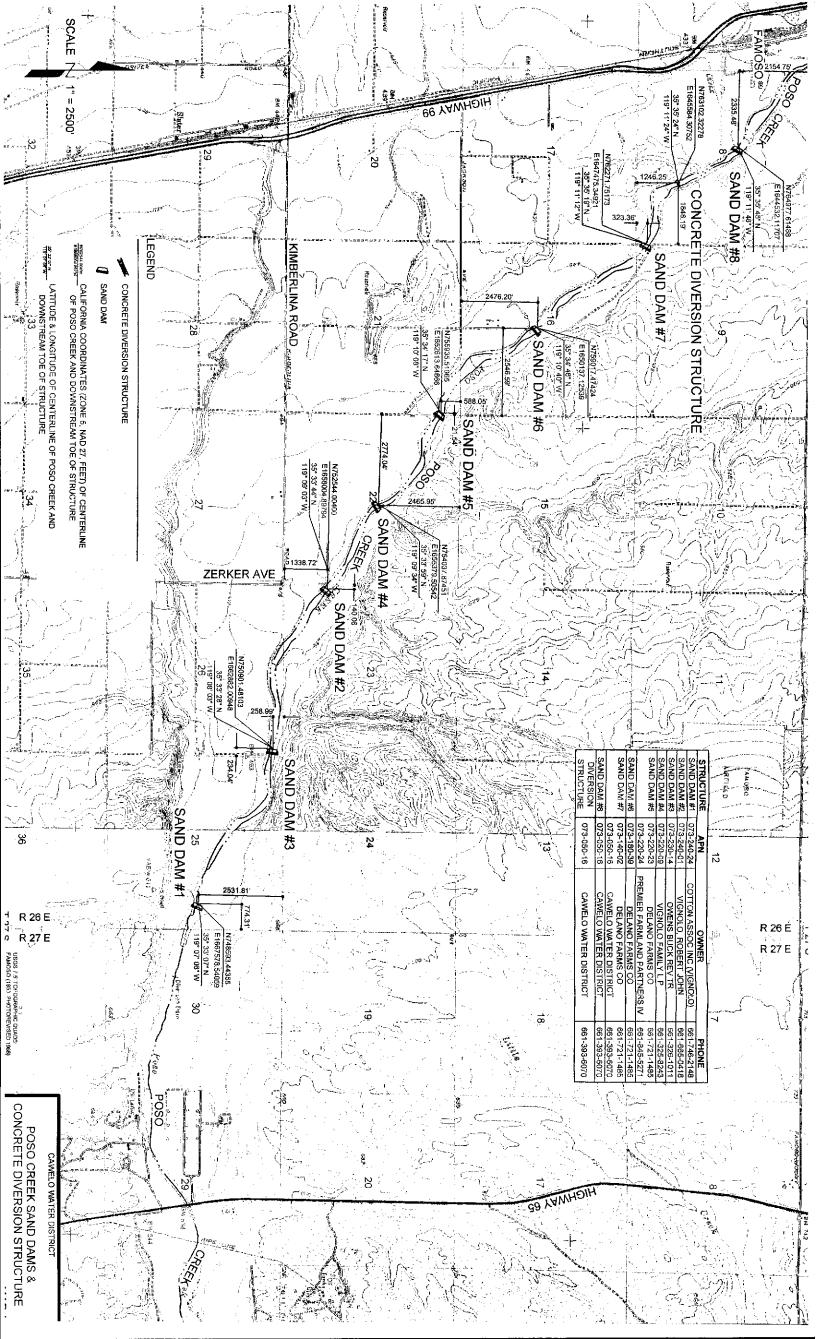
**P.O. Box 2000, Sacramento, CA 95812-2000** Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

WORKING 60. PY Reid 8/20/03

## PETITION FOR CHANGE

(WATER CODE 1700)

Application Permit X License Sutement or Other  I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:  Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acce subdivision in which the present & proposed points lie.)  Present See Attached Permit 21032. South 2532 feet and West 774 feet from NE corner, NEW Sec 25, 1775, RAGE, MDREM  Proposed/North 1246 feet and West 1848 feet from SE corner, SE & Section Tournshin 27. South, Range 26 East, Mount Diablo, Base and Merid:  Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)  Present Cavallo Water District, Townships 26, 27, 28, 8, 29. South, Ranges 27. East, Mount Diablo Base & Meridian, Country of Kenn, State Troposed Same Californi  Proposed Same Californi  Purpose of Use  Present Groundwater storage, extraction for irrigation of crops and stockwatering.  Proposed Same Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)?  Geometry Consideration of Project Development of Districts Croundwater Management Plan of Conjunctive Management of Similar ties Croundwater Management Plan of Conjunctive Management of Similar ties Croundwater Management Plan of Conjunctive Management of Similar ties Croundwater Management Plan of Conjunctive Management of Similar ties Croundwater Management Plan of Conjunctive Management of Similar ties Croundwater Management Plan of Conjunctive Management of Similar ties Croundwater Management Plan of Conjunctive Management of Similar ties Croundwater Management Plan of Conjunctive Management of Similar ties Croundwater Management Plan of Conjunctive Office Conjunctive Management of Similar ties Croundwater Management Plan of Conjunctive Office Conjunctive Management of Similar ties Croundwater Similar ties Croundwater Similar ties Croundwater Similar ties Croundwater Simi	A mm Lionation	Point of Diversion,	Point of Rediversion,	Place of Use,	Purpose of Use	
Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)  Present See Attached Permit 21032, South 2532 feet and West 774 feet from NE carner, NEW Sec 25, T275, R26E, MUBEM  ProposedNorth 1246 feet and West 1848 feet from SE corner, SE & Section Township 27 South, Range 26 East, Mount Diablo, Base and Merid:  Place of Use (If impation then state number of acres to be impated within each 40-acre tract.)  Present Cawelo Water District, Townships 26, 27, 28 & 29 South, Rangee 27 East, Mount Diablo Base & Meridian, Country of Kenn. State Proposed Same  Purpose of Use Coundwater storage, extraction for irrigation of crops and stockwatering.  Present Groundwater storage, extraction for irrigation of crops and stockwatering.  Proposed Same  Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)  (resha)  OUVEREASON FOR PROPOSED CHANGE: Change in location of Project Development of Significant Change in						······································
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Place of Use (Firigation then state number of acres to be imgated within each 40-acre text.)  Present Cawelo Water District, Townships 26, 27, 28 & 29 South, Ranges 27 East, Mount Disblo Base & Meridian, County of Kann; State Proposed Same  Purpose of Use  Present Groundwater storage, extraction for irrigation of crops and stockwatering.  Proposed Same  Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)?  Greenbo  GUVE REASON FOR PROPOSED CHANGE: Change in location of Project Development of District's Groundwater Management Plan of Conjunctive Management of St. Wayfelf THE OLD FORM OF DIVERSION OR PLACE OF USE BE ABANDONED?  WATER WILL BE USED FOR groundwater storage and delivery for irrigation with a plan of Company (geshno)  Water will be used for groundwater storage and delivery for irrigation of the Consensity, lease website written agreement)  Are there any persons taking water from the stream between the old point of return flow and the new point of return flow?  Are there any persons taking water from the stream between the present point of diversion or rediversion as well as any other person(s) known to you who may be affected by the proposed change.  Rohert J. Vignolo Vignolo Farms. Inc.  P. O. Box 1268  Shafter DOES NOT involve An increase in the AMOUNT OF THE APPROPRIATION OR SEASON OF USE.  (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.  Bakersfield California  Bakersfield California  G611393-6072  Telephone No.  NOTE: A \$100 filing fee made payable to the State Water Resources Control Board and a \$850 fee	· <del></del>	<del>\{\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\</del>	<del></del>	O, MAULI, MIDD	[7] [7]	
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Preposed Same  Purpose of Use  Present Groundwater storage, extraction for irrigation of crops and stockwatering.  Proposed Same  Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)?  Octation  Give Reason For Proposed Change: Change in location of Project Development of St. Wayfiff the Old Found of Project Development of St. Wayfiff the Old Found of Project Development of St. Wayfiff the Old Found of Project Development of St. Wayfiff the Old Found of Project Development of St. Wayfiff the Old Found of Project Development of St. Wayfiff the Old Found of Project Development of St. Wayfiff the Old Found of Project Development of St. Wayfiff the Old Found of Project Development of St. Wayfiff the Old Found of Project Development of St. Wayfiff the Old Found of Project Development of St. Wayfiff the Old Found of Project Development of St. Wayfiff of Project Development of St. Wayfiff of St. Wayfiff of St. Wayfiff of St. Direct Diversion of Project Development of St. Wayfiff of St. Wayfiff of St. Direct Diversion of St. Wayfiff of St. Direct Diversion of St. Wayfiff of St. Direct Diversion of Company of St. Wayfiff of St. Direct Diversion of Company of St. Wayfiff of St. Wayfiff of St. Direct Diversion of St. Wayfiff	Present <u>Car</u>	<u>welo Water Dis</u>	trict, Townshi	ps 26, 27, 2	8 <u> </u>	h <u>, Rang</u> es
Present Groundwater storage, extraction for irrigation of crops and stockwatering.  Proposed Same  Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)?  (yea/no)  GIVE REASON FOR PROPOSED CHANGE: Change in location of Project Development of District's Groundwater Management Plan of Conjunctive Management of Su-Wayfit THEOLD FONT OF DIVERSION OR FLACE OF USE BE ABANDONED?  WATER WILL BE USED FOR groundwater storage and delivery for irrigation of the water there any persons taking water from the stream between the old point of return flow and the new point of return flow?  Are there any persons taking water from the stream between the old point of return flow and the new point of recturn flow?  N/A  N/A  Note have access of any person(s) taking water from the stream between the present point of diversion or rediversion and the roposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.  Rohert J. Vignolo/ Vignolo Farms, Inc.  P. O. Box 1268  Shatter J. Vignolo/ Vignolo Farms, Inc.  P. O. Box 1268  Shatter Does Not Involuve An Increase in the Amount of the Appropriation or Reason of use.  Well because and enalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.  ated December 18, 20 02 at Bakersfield California  Signatures Signatures Control Board and a \$850 fee	<u> 27</u>	East, Mount D	iablo Base & N	leridian, Cou	nty of Kenn	
Present Groundwater storage, extraction for irrigation of crops and stockwatering.  Proposed Same  Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)?  (yea/no)  GIVE REASON FOR PROPOSED CHANGE: Change in location of Project Development f District's Groundwater Management Plan of Conjunctive Management of Su-Water Table Old Folk Tolk Tolk Tolk Tolk Tolk Tolk Tolk T	Proposed_S	ame				Californi
Proposed Same  Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)?  Oscillation of Project Development of Giverson or Recreation in or on the water (See WC 1707)?  Oscillation of Project Development of District's Groundwater Management Plan of Conjunctive Management of Suwific Table of Project Diversion or Place of Use BE ABANDONED?  Water WILL BE USED FOR groundwater storage and delivery for irrigation on irrigation of the proposed place of use by virtue of?  Ownership, lease webal or written agreement)  Are there any persons taking water from the stream between the old point of return flow and the new point of return flow?  N/A  Overhoo)  The last the name and address of party(s) from whom access has been obtained. Attach additional pages if needed N/A  Dive name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the roposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.  Rohert J. Vignolo/ Vignolo Farms, Inc.  P. O. Box 1268  Bis CHANCE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.  (we) declare under penalty of perjuny that the above is true and correct to the best of my (our) knowledge and belief.  Bakersfield California	Purpose of Use					<del> </del>
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# State of California State Water Resources Control Board

#### DIVISION OF WATER RIGHTS

## P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

## ENVIRONMENTAL INFORMATION FOR PETITIONS

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 26454

PERMIT NO.

LICENSE NO.

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

#### DESCRIPTION OF CHANGES TO PROJECT

1. Provide a description of the proposed changes to your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, changes in land use, and project operational changes, including changes in how the water will be used.

The Cawelo Water District, permittee, purchased land and is developing groundwater recharge basins along with recovery wells and pipeline distribution systems at a location adjacent and downstream on Poso Creek of the prior point of diversion as provided in Permit 21032.

The point of direct diversion by a concrete check structure within Poso Creek would be relocated from the northeast quarter of Section 25, Township 27 South, Range 26 East, Mount Diablo Base and Meridian, to the southeast quarter of Section 8, Township 27 South, Range 26 East, Mount Diablo Base and Meridian, about 5 miles downstream.

The proposed Petition for Change in point of diversion would not involve a change in the construction of works, in land use, in project operations or in the use of Poso Creek flow all as set forth in the permit.

### **GOVERNMENTAL REQUIREMENTS**

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2.	Cor a.	ntact your co Person cont	unty plantacted	nning or public <u>Mr. Clark Far</u> r	works de	partment for the Date of co	ne follow ontact	ing inforn 05 May 20	nation: 003
		Department	t <u>Engine</u>	eering Surveyi	ng Servic	es_ Telephone	(661)_	<u>852-510</u>	00
	b.	Assessor's ]	Parcel No	o. <u>073-01</u>	0-019				
	c.	County Zor	ning Desi	ignation	A – Agri	culture Exclus	ive		
	d.	If yes chec	k annron	nits required for	ow:				
		Change, Ot	her (expl	laın):					Watercours General Plar
	e.	Have you o	btained a	any of the requ nplete copy of	ired perm	its described a	bove?	In proces	SS
3.	froi Soi Red wh	m Federal En il Conservatio clamation Bo ich a permit i	nergy Reg on Servic ard, Coa is require	e, Department	nission, U of Water on, State I following	.S. Forest Serv Resources (Di Lands Commis	rice, Bure	eau of Lan Safety of	d Management
		<del>-</del>		Annette Jenning		Agency	State F	ish and Ga	ame
				Iay 2003					
	Per	rmit type	Clean V	Water Act, Sec	tion 401,	Water Quality	<u>Certifica</u>	tion	
	Per	rson (s) conta	cted <u>B</u>	<u> Bert Van Voris</u>		A	CRWOC	В	<u></u>
						Agency _	<u> </u>		
	Dat	te of contact	<u>25 Ju</u>	<u>ine 2003</u>					
				nne 2003 Water Act, Sec	* \$				
	Per	rmit type	<u>Clean V</u>		tion 404_	Telephone (55	9) _445	5116	of Engineers

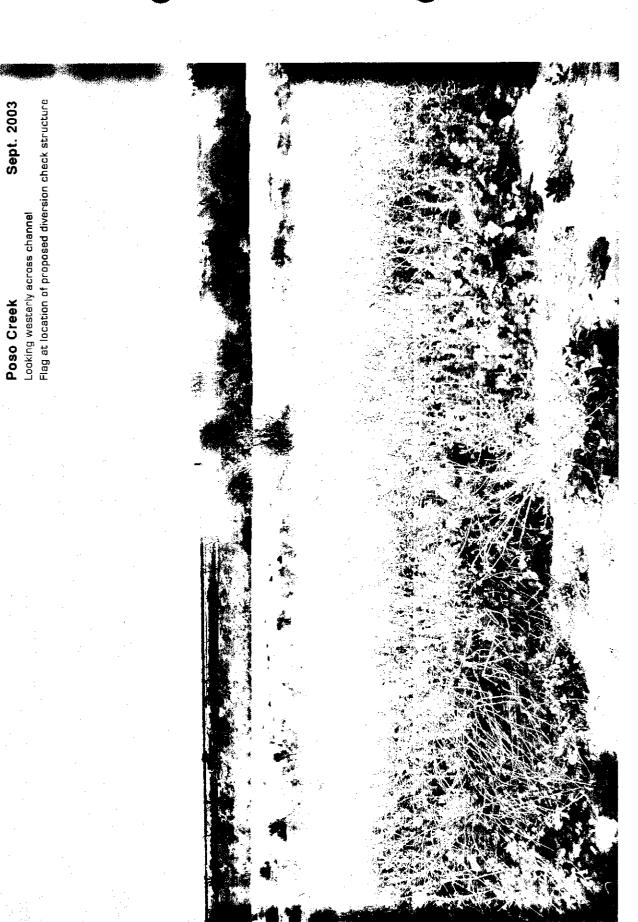
4.	Has any public agency prepared an environmental document for any aspect of your proposed changes? <u>Yes, Cawelo Water District, see attachments</u>						
	If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:						
	e NOD for Poso Creek Diversion Project (original location 12-21-01 filed with Kern County Clerk)						
	odified Famoso Water Banking Project, change of location for diversion, filed Kern County Clerk						
12/	/13/02, copy of EA & NOD enclosed.						
	Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.						
5.	Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or						
	cause erosion, turbidity or sedimentation? No If so, explain:						
	If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):						
	Will a waste discharge permit be required for your petition? Yes, Clean Water Act, Section 401						
	Person contacted Bert Van Voris Date of contact 25 June 2003						
	What method of treatment and disposal will be used? None required						
6.	Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? Yes See copy attached.						
	Do you know of any archeological or historic sites located within the general project area?  No If so, explain:						

- 7. Attach <u>THREE COMPLETE SETS</u> of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
  - a. Along the stream channel immediately downstream from the proposed point(s) of diversion.
  - b. Along the stream channel immediately upstream from the proposed point(s) of diversion.
  - c. At the place(s) where the water is to be used.

<u>Note</u>: It is very important that you submit no less than <u>three complete sets of photographs</u> as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets.

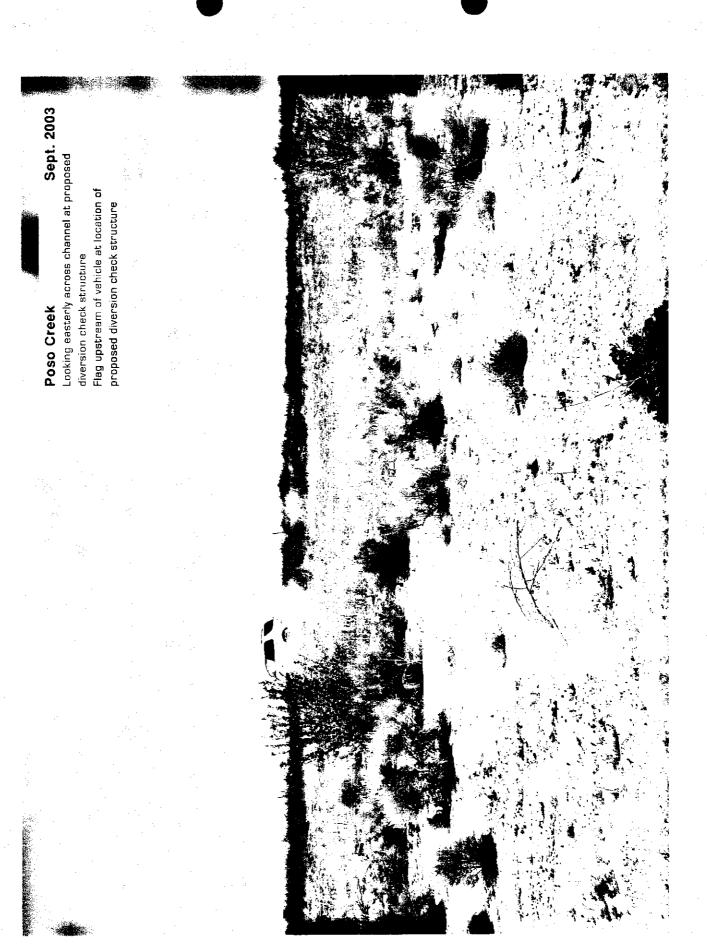
8. From the list given below, mark or circle the general plant community types which best describe those which occur within you project area (Note: See footnote denoted by \* under Question 11 below): See biological Assessment enclosed.

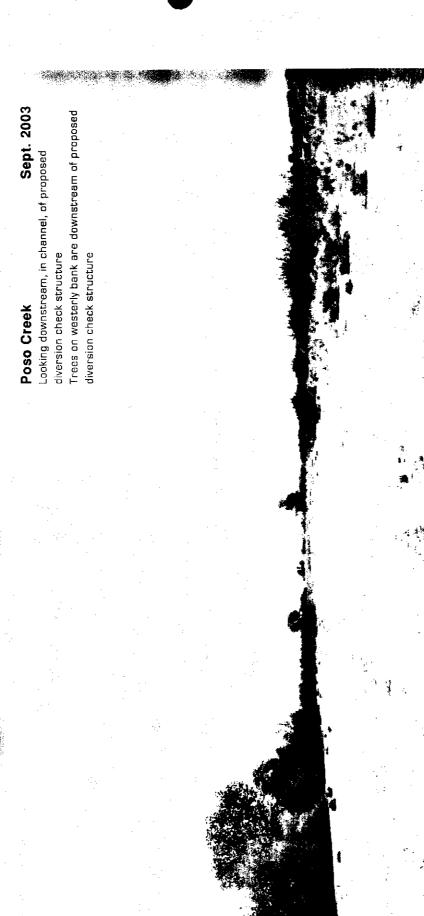
11 11 11 11 amoso 11 M 422) Ħ Ħ 11 H LEVEE PROPOSED POSO CREEK CHECK STRUCTURE CAWELO WATER DISTRICT **MODIFIED FAMOSO WATER BANKING PROJECT** SECTION 8, T 27 5, R 26 E AERIAL PHOTOGRAPH (KERN COUNTY, 2000)



Poso Creek
Clase-up of westerly bank at proposed diversion check structure

Poso Creek Sept. 2003
Looking easterly across channel at proposed diversion check structure





Poso Creek Sept. 2003
Looking upstream, in channel, of proposed diversion
check structure





Shrub Dominated Communities Tree Dominated Communities Alpine Dwarf-Shrub Subalpine Conifer Low Sage Red Fir Bitterbrush Lodgepole Pine Sagebrush Mixed Conifer Montane Chaparral Sierran Mixed Conifer Mixed Chaparral White Fir Chamise-Redshank Chaparral Klamath Mixed Conifer Coastal Scrub Douglas-Fir Desert Succulent Shrub Jeffrey Pine Desert Wash Ponderosa Pine Desert Scrub Eastside Pine Alkali Desert Scrub Redwood Pinyon-Juniper Herbaceous Dominated Communities Juniper Annual Grassland Aspen Perennial Grassland Closed-Cone Pine-Cypress Wet Meadow Montane Hardwood-Conifer Fresh Emergent Wetland Montane Hardwood Saline Emergent Wetland Valley Foothill Hardwood Pasture Blue Oak Woodland Valley Oak Woodland Aquatic Communities Coastal Oak Woodland Riverine Valley Foothill Hardwood-Conifer Lacustrine Blue Oak-Digger Pine Estuarine Eucalyptus Marine Montane Riparian Valley Foothill Riparian **Developed Communities** Desert Riparian Cropland Palm Oasis Orchard-Vineyard

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document qt our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

Urban

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None, see photographs enclosed for Part 7. above.		
	 	 41

Joshua Tree

water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below.)  No affect by proposed change of point of diversion.  11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or change in land use in the place of water use. (Note: See footnote denoted by * below):	andre de la companya de la companya La companya de la co
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None affected, see photographs attached for Part 7. above.	changes through construction of additional water diversion and distribution works and/or change
	None affected, see photographs attached for Part 7. above.

- \*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).
- 12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake?

  No significant affect.

If so, explain:

The proposed concrete check diversion structure is 173'-8" wide and 41-feet in length within the

Poso Creek channel with concrete cut off walls into the bed and bank of the dry channel, minimal

invasion of bed and banks of Poso Creek channel.

#### **CERTIFICATION**

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date <u>Sctober 29, 2003</u>

Signature 4h Longe